



Docket No.: DUKE-227

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
RECEIVED

In re Application of

NOV 29 2002

PATZ et al.

TECH CENTER 1600/2905

Serial No.: 09/902,786

: Group Art Unit: 1641

Confirm. No.: 6628

: Examiner: Deborah A. Davis

Filed: July 12, 2001

For: SYSTEM AND METHOD FOR DIFFERENTIAL PROTEIN EXPRESSION
AND A DIAGNOSTIC BIOMARKER DISCOVERY SYSTEM AND
METHOD USING SAME

REPLY TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents

Washington, D. C. 20231

Sir:

In reply to the Office Action of October 1, 2002 wherein restriction has been required, Applicants hereby elect Group I (claims 1-9) with traverse, for prosecution in the above-identified application.

It is respectfully submitted that the subject matter of each of the designated inventions is sufficiently related that a thorough search for the subject matter of each of the designated inventions would encompass a search for the subject matter of the remaining designated inventions. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it states that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or

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"independent inventions." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the U.S. Patent and Trademark Office.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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